

Remarks

Following a careful review of the Office Action and the prior art, especially U.S. Patent No. 4,936,467 to Bobeczko, the sole claim in this application has been amended in a manner to clarify the patentable nature of the present invention.

As amended, claim 1 calls for a shoe rack that hangs on a door, and this by itself distinguishes the invention from the Bobeczko patent which is not a shoe rack and is not applicable to a door. Rather, the Bobeczko structure is a sports equipment rack intended to hold sports equipment and capable of being mounted only on a wall, as the specification states (see column 1, lines 5-9).

Furthermore, claim 1 as amended calls for the support arms to each have an inner end portion in proximity to one of the main body sections and a free outer end portion. The "arms" the Examiner has cited to be present in the Bobeczko structure clearly have no free outer end portions. Instead, whatever the outer end portions of these "arms" may be, they are certainly connected to other structure which forms a continuous outside rim for each side of the Bobeczko device. Consequently, this feature alone distinguishes amended claim 1 from anything found in the Bobeczko patent.

Furthermore, amended claim 1 calls for the bars to be arranged in pairs, with one bar in each pair extending between the outer end portions of the support arms and the inner bar extending between the inner end portions of the support arms at a location closer to and lower than the corresponding outer bar, thereby allowing shoes to be mounted on the bar at a downwardly inclined orientation toward the door with the S shaped arms serving as side barriers. This construction is best shown in Figs. 10 and 11 of the application drawings.

In contrast, the Bobeczko patent does not have any bars at all extending between the inner end of portion "3" of the Bobeczko "arm", nor is the outer end of portion "5" located

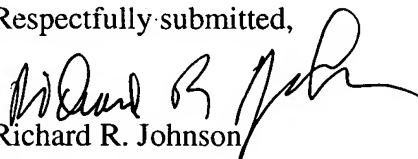
such that it could cooperate in any way with a rod or bar extending between portions "3" of the Bobeczko structure.

As a final point, the "arms" of the Bobeczko patent do not really have S shapes in any event but rather have sharply defined joints between the separate arm portions 3, 4 and 5 as opposed to smoothly curved S shaped arms.

For all of these reasons, amended claim 1 differs in significant respects from what is taught in the Bobeczko patent. It is important to note that the Bobeczko patent does not accommodate shoes, is not mounted to a door so that swinging of the door open and closed is not a concern with respect to having shoes fall off of the side of the rack, and the Bobeczko structure differs in a number of important structural characteristics from what is called for in amended claim 1.

In view of the foregoing, it is respectfully submitted that claim 1 as amended is allowable over the prior art. Additionally, the Abstract has been amended to hopefully comply with the comments made by the Examiner. Accordingly, it is believed that this application is in full condition for allowance and a formal notice to that effect is respectfully requested in due course. If the Examiner feels that a telephone conference will in any way expedite the handling of this case, she is invited to call the number listed below at her convenience.

Respectfully submitted,



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The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Account No. 19-2112. A duplicate copy of this sheet is enclosed.